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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/481,511	01/12/2000	Quinton Yves Zondervan	52817.000088	5719

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EXAMINER

FERGUSON, KEITH

ART UNIT	PAPER NUMBER
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2683

14

DATE MAILED: 11/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/481,511

Applicant(s)

ZONDERVAN, QUINTON YVES

Examiner

Keith T. Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5, 7-10, 12, 14-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis et al. in view of Wong, newly recited reference.

Regarding claims 1, 5, 7, 15 and 19, Lazaridis et al. discloses an integrated message system (fig.1) comprising: at least two terminal devices associated with a common user (fig. 1 number 10 and 24; col. 7 lines 24-25 and col. 7 lines 34-37); wherein at least the second terminal device is a wireless terminal device (fig. 1 number 24); and at least one scripting agent (redirect software) (fig. 1 number 12) cause an electronic message (e-mail) (fig. 1 A) that is addressed to the first terminal (fig. 1 number 10) device to be transmitted to the wireless terminal device (fig. 1 number 24) upon a determination of substantially no user activity at the first terminal device (col. 7 lines 24-64). Lazaridis et al. differs from claims 1 and 15 of the present invention in that it does not disclose wherein the scripting agent is adapted to configure the electronic message to appear as if originating from an application associated with a recipient of the electronic message. Wong teaches the scripting agent (called agent 116) is adapted to configure the electronic message to appear as if originating from an application (profile) associated with a recipient of the electronic message (col. 24 line 60 through col. 25 line 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Lazaridis et al. with the

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scripting agent is adapted to configure the electronic message to appear as if originating from an application associated with a recipient of the electronic message in order to determine how to forwarding the e-mail message to the mobile computer when the user is away from its desk, as taught by Wong.

Regarding claims 2,3,9,10,16,17 and 19, Lazaridis et al. teaches a physical monitoring device (Microsoft Messaging API) (MAPI) (fig. 1 number 12) to monitor the status (a level of activity at the first device or a determination of no substantially no user activity at the first terminal device) of the common user (col. 7 lines 15-59).

Regarding claims 8 and 12, Lazaridis et al. discloses a method (fig. 5) for managing communications between at least two terminal devices associated with a common user (fig. 1 number 10 and 24; col. 7 lines 24-25 and col. 7 lines 34-37); wherein at least the second terminal device is a wireless terminal device (fig. 1 number 24); and at least on scripting agent (redirect software) (fig. 1 number 12) cause an electronic message (e-mail) (fig. 1 A) that is addressed to the first terminal (fig. 1 number 10) device to transmitted to the wireless terminal device (fig. 1 number 24) upon a determination of substantially no user activity at the first terminal device (col. 7 lines 24-64). Lazaridis et al. differs from claims 8 and 12 of the present invention in that it does not disclose wherein the electronic message is configured to appear as if originating from an application associated with a sending terminal. Wong teaches wherein the electronic message is configured to appear as if

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originating from an application (profile) associated with a sending terminal (col. 24 line 60 though col. 25 line 8).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Lazaridis et al. with wherein the electronic message is configured to appear as if originating from an application associated with a sending terminal in order to manage how to forwarding an e-mail message to the mobile computer when the user is away from its desk, as taught by Wong.

Regarding claim 14, Lazaridis et al. discloses a computer usable medium (fig. 1) having computer readable program code embodied therein for managing communications between at least two terminal devices associated with a common user (fig. 1 number 10 and 24; col. 7 lines 24-25 and col. 7 lines 34-37); wherein at least the second terminal device is a wireless terminal device (fig. 1 number 24), the computer readable program comprising; computer readable program for receiving an electronic message from a sending terminal device addressed to the first terminal device (col. 7 lines 24-64); and computer readable program for transmitting the electronic message to the wireless terminal device (fig. 1 number 24) upon a determination of substantially no user activity at the first terminal device

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(col. 7 lines 24-64). Lazaridis et al. differs from claim 14 of the present invention in that it does not disclose wherein the electronic message is configured to appear as if originating from an application associated with a sending terminal. Wong teaches wherein the electronic message is configured to appear as if originating from an application (profile) associated with a sending terminal (col. 24 line 60 through col. 25 line 8).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Lazaridis et al. with wherein the electronic message is configured to appear as if originating from an application associated with a sending terminal in order for the system to determine how to forwarding the e-mail message to the mobile computer when the user is away from its desk, as taught by Wong.

3. Claims 4,6,11,13,18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis et al. in view of Wong, newly recited reference as applied to claims 1,8 and 15 above and in further view of Woltz et al..

Regarding claims 4,6,11,13,18 and 20, the combination of Lazaridis et al. and Wong differs from claims 4,6,11,13,18 and 20 of the present invention in that they do not disclose transmitting the electronic message (all or summary messages) to the wireless terminal device after the passage of a predetermined amount of time during which the electronic message has not been opened at the first terminal device. Woltz et al. discloses transmitting the electronic message (all or summary messages) to the wireless terminal device after the passage of a


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predetermined amount of time during which the electronic message has not been opened at the first terminal device (col. 5 lines 19-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the combination of Lazaridis et al. and Wong with transmitting the electronic message (all or summary messages) to the wireless terminal device after the passage of a predetermined amount of time during which the electronic message has not been opened at the first terminal device in order to guarantee that the e-mail message will be forwarded to the mobile computer so that the user could view its message if away from its desk top computer, as taught by Woltz et al..

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Keith Ferguson   
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October 27, 2003